

4.8 LAND USE AND RECREATION

This section evaluates the compatibility of the proposed Project's activities with adjacent or surrounding land uses, including recreational resources of the area. This section also evaluates the Project's consistency with applicable plans and policies adopted by agencies with jurisdiction over the Project area. Policy consistency review will be focused on the offshore and nearshore components since the proposed Project involves existing onshore conduits, the use of which has been previously approved by the County of San Luis Obispo. A copy of the original Plan and Policy Consistency analysis prepared by the county, as well as the Conditions of Approval, are provided in Appendix J. Installation of the onshore segment of the proposed fiber optic cable will require compliance with these Conditions of Approval.

4.8.1 Environmental Setting

Offshore - Land Use

The offshore area, extending to the three-mile state jurisdictional line, is regulated by the CSLC, and is subject to the leasing requirements of the State of California. The Central California Joint Cable/Fisheries Liaison Committee was established to develop an agreement between the two interests and to provide fishers and cable operators a forum through which information could be disseminated and claims could be processed. In addition to the 2002 Final Agreement, other documents, including "Procedures to Follow While Operating Near Morro Bay or San Luis Obispo Cables" (<http://www.slofiberfish.org/files/procedures.pdf>) have been developed. The clauses and requirements in the aforementioned agreement and the associated committee process will apply to the installation and operation of the proposed cable Project.

Offshore - Recreation

Offshore recreation within the Project area includes surfing, boating, kayaking, fishing, and other water sports, and the marine waters also provide opportunities for whale watching.

Onshore - Land Use

The coastal onshore portion of the Project area is located within Montaña de Oro State Park which is owned by the State of California and managed by the California Department of Parks and Recreation. Land uses within the Montaña de Oro State Park are subject to the requirements established in the park's General Plan which was

approved by the State Park and Recreation Commission in June 1988. The majority of the onshore cable right-of-way (ROW) within the park is located within a zone designated as Open Space/Scenic. East of the park boundary the cable alignment enters unincorporated areas of the County of San Luis Obispo. The county has designed two Planning Areas along the alignment: Estero and San Luis Obispo. The cable alignment is located within areas designated as Agriculture and Rural Lands. With the exception of the easternmost 3 miles (4.8 km), the Project is within the Coastal Zone as specified by the California Coastal Act.

Onshore - Recreation

The environmental setting for potential impacts to onshore land use and related recreational activity is limited to the Sandspit Beach parking lot, which is a public parking lot 1 mile (1.6 km) southwest of Pecho Valley Road, along Sandspit Road, in Montaña de Oro State Park. The physical setting within the Sandspit Beach parking lot area consists of open sandy beach and coastal dunes that are densely vegetated with coastal dune scrub. Activities at the park include hiking, mountain biking, and horseback riding. The parking lot contains 50 parking spaces, a public telephone, tables, and restrooms, and is at the eastern terminus of a trail to Sandspit Beach.

Outside of Montaña de Oro State Park, the proposed cable route extends along the ridge of the Irish Hills through private properties, with access limited to property owners.

4.8.2 Regulatory Setting

Land Use

Section 15125(d) of the CEQA Guidelines requires that an EIR include a discussion of "...any inconsistencies between the proposed project and applicable general plans and regional plans." The proposed Project is located within regulatory jurisdictions of the California Coastal Commission, California Department of Parks and Recreation, and the County of San Luis Obispo. Applicable master plans, general plans and land use ordinances adopted by these agencies that affect or pertain to the Project include the California Coastal Act, the Montaña de Oro State Park General Plan, the County of San Luis Obispo Coastal Zone Land Use Ordinance, the Estero Area Plan - Land Use Element, and the San Luis Obispo Inland Area Plan - Land Use Element. A description of each of these relevant documents is provided below.

California Coastal Act

The California Coastal Act was enacted in 1976 and establishes policies and guidelines that provide direction for the conservation and development of the California coastline. The California Coastal Act (PRC Section 3000 et seq.) establishes the California Coastal Commission as the State's coastal management, regulatory and permitting agency for all development within the California coastal zone. This permitting and regulatory authority is further delegated to the local governments through the process of certified Local Coastal Plans (LCPs). The LCPs are developed by counties and municipalities for the portions of their jurisdiction that is within the coastal zone. Following certification of an LCP, regulator responsibility is delegated to the local jurisdiction, although the Coastal Commission retains jurisdiction over the immediate shoreline areas below the mean high tide line and offshore areas to the three-mile State-waters limit. The County of San Luis Obispo has a certified LCP, therefore the county's coastal policies are applicable to the onshore portions of the Project that are outside the Montaña de Oro State Park boundary.

Montaña de Oro State Park General Plan

The State of California (1988) establishes guidelines for the long-term use, management, and development of Montaña de Oro State Park. The California Department of Parks and Recreation prepared the General Plan in compliance with Public Resources Code Section 5002.2. The plan is divided into the following elements:

- **Resource Element.** Evaluates the natural and cultural resources of the Park and sets policies for protection, restoration, and use of these resources;
- **Land Use and Facilities Element.** Evaluates existing land use and facilities and describes proposed land use and facilities that are consistent with the Park's resources and visitor needs;
- **Interpretive Element.** Establishes interpretive themes and recommends methods for interpretation of the Park's natural and cultural values;
- **Operations Element.** Describes specific operational and maintenance requirements of the Park and establishes operational guidelines for implementation of the plan;

- **Concessions Element.** Evaluates existing and potential concession activities and establishes guidelines consistent with the classification of the Park; and
- **Environmental Impact Element.** Serves as the Draft Environmental Impact Report required pursuant to CEQA. In conjunction with the General Plan, it assesses environmental effects and proposes mitigation measures and alternatives.

The Montaña de Oro State Park General Plan highlights the major resource management policies, facility and site improvements, and interpretive programs proposed for the Park. The plan proposes to (1) acquire Pecho Valley Road from the County, (2) develop new hiking, biking, and horse trails in the Park, (3) develop a new campground and picnic area, and (4) develop a new Park entrance and contact station. No General Plan policies relate to temporary impacts to recreational resources.

San Luis Obispo General Plan/Local Coastal Plan

State law requires that a county has a General Plan with goals, policies, and programs that regulate the use of land in the unincorporated areas of the county. The San Luis Obispo County General Plan governs land use within unincorporated communities and surrounding areas. The Plan is composed of several parts or elements:

- | | |
|------------------------------|-------------------|
| • Land Use | • Circulation |
| • Circulation | • Noise |
| • Housing | • Historic |
| • Conservation | • Recreation |
| • Agriculture and Open Space | • Energy |
| • Safety | • Offshore Energy |
| • Land Use | |

The law also allows the adoption of optional elements into the General Plan to address specific issues that may not be covered in sufficient detail by the other elements. In the existing County General Plan, the Historic, Recreation, Offshore Energy, Energy, and Agriculture and Open Space Elements are optional elements.

Land Use Element and Local Coastal Plan

The Land Use Element (LUE) and LCP establish the overall policies for land use in the unincorporated inland and coastal areas of the county, respectively. The LUE is composed of four sections: framework for planning, the area plans, the coastal program policy document, and the official maps.

Framework for Planning. This section contains policies, programs and procedures that apply countywide, and explains how the LUE is to be used with other adopted plans. The framework section also describes the various land use categories that apply to the unincorporated portions of the county, the allowable land uses within each category, and typical building intensities (parcel sizes, population, and building densities). There is also a coastal framework for planning that describes the policies, programs and land use categories that apply to lands within the Coastal Zone.

Area Plans. The LUE includes 15 Area Plans that address specific land use issues affecting the unincorporated communities and regions within the county. The Area Plans supplement and refine the general goals, policies and programs contained in the framework section and help to make the planning process more localized. The Area Plans describe where the land use categories are to be applied and discuss population growth and economic conditions, public services, and circulation. The Project site is located in the Estero Planning and San Luis Obispo Inland Areas.

Official Maps. The official land use maps illustrate where the various land use categories are to be applied in the unincorporated areas of the county. Each Area Plan contains land use maps that provide more detailed illustrations of where the land use designations are applied.

Within these Planning Areas the cable alignment is located within Agriculture and Rural Lands. However, the Estero Planning Area Rural Use and Combining Designation Map show the area as Sensitive Resource Area and Geologic Study Area. Combining designations are special overlay categories applied in areas of the county with hazardous conditions or special resources, where more detailed project review is needed to avoid adverse environmental impacts or effects of hazardous conditions on proposed projects.

1 County of San Luis Obispo Coastal Zone Land Use Ordinance (CZLUO). The County
2 of San Luis Obispo CZLUO regulates the development of land within the Coastal Zone.
3 It details permitting requirements for development; provides site design, site
4 development, operational and combining-designation standards; and lists provisions for
5 special uses.

6 The following coastal zone designations and ordinance requirements are applicable to
7 the portion of the Project site within the jurisdiction of the County of San Luis Obispo.

8 • **Flood Hazard Combining Designation.** All uses proposed within the Flood
9 Hazard Combining Designation (FH) are subject to FH Area Permit and
10 Processing Requirements (section 23.07.064 of the Coastal Zone Land Use
11 Ordinance).

12 • **Environmentally Sensitive Habitat Combining Designation.** Under the LCP,
13 the Project is in or near areas considered to be an Environmentally Sensitive
14 Habitats (ESH) or a Sensitive Resource Area (SRA) under the Land Use
15 Element. These include Wetlands, Archaeological Sensitive Area, and
16 Terrestrial Habitat. The Project is located in an SRA for Wetlands ESH.

17 • **Geologic Study Area.** A Geologic Study Area (Section 23.07.080) combining
18 designation is applied by the Official Maps (Part III) of the Land Use Element, to
19 areas where geologic and soil conditions could present new developments and
20 their users with potential hazards to life and property.

21 Title 23 of the San Luis Obispo County Code, section 23.01.033, mandates consistency
22 with the Land Use Element and Local Coastal Plan requirements that no new use of
23 land, buildings, division of land or other development be established, and no application
24 for such use, land division or other permit required pursuant to this title be approved,
25 unless the proposed use or division is determined to be allowable in the land use
26 category where the proposed site is located, pursuant to subsections (a) through (e) of
27 this section.

28 The onshore portion of the proposed Project will involve use of existing conduits and will
29 therefore not require additional approvals beyond compliance with existing conditions of
30 approval, and mitigation measures included in this EIR.

4.8.3 Significance Criteria

Using the criteria contained in Appendix G of the CEQA Guidelines, an adverse impact to land use and recreational resources would be considered significant and require additional mitigation if the potential for any of the following conditions would result from the proposed Project:

- Physically divide an established community;
- Conflict with any applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect, promulgated by an agency with jurisdiction over the Project (including but not limited to the general plan, specific plan, local coastal program/plan, or zoning ordinance).
- Conflict with any applicable habitat conservation plan or natural community conservation plan; and
- Conflict with planning efforts to protect the recreational resources of the Project area.

4.8.4 Impact Analysis and Mitigation

Policy Consistency Review

California Coastal Act

The following policies are taken from the California Coastal Act of 1976 and include those policies that pertain to the offshore portion of the proposed Project. Coastal Act policies pertaining to the onshore portion of the Project are reviewed through consistency with the adopted County of San Luis Obispo Coastal Plan and Policies (see below).

Coastal Act Policy 30211 - Development Not to Interfere with Access. Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of vegetation.

Because the Sandspit Beach parking lot will be completely closed during the pulling of the cable for two to three days, the proposed Project would interfere with the public's right of access to the sea on a short-term basis. These impacts would be temporary and other areas for public parking are available within the Park. Access to the beach

1 will not be blocked. The proposed Project is potentially consistent with this policy
2 assuming adequate offsite parking is made available in coordination with the State Park.

3 Coastal Act Policy 30212.5 - Public Facilities. Whenever appropriate and feasible,
4 public facilities, including parking areas or facilities, shall be distributed throughout an
5 area so as to mitigate against the impacts, social or otherwise, of overcrowding or
6 overuse by the public of any single area.

7 As specified in previously-obtained fiber optic cable projects within the area, AT&T has
8 completed public facility enhancements within Montaña de Oro State Park to address
9 impacts associated with the original installation of the conduits within the Sandspit
10 Beach parking lot. The proposed Project will temporarily block access to a portion of
11 that parking lot; however, these impacts have been previously addressed. The
12 proposed Project is potentially consistent with this policy as mitigation has already been
13 successfully implemented.

14 Coastal Act Policy 30213 - Low Cost Visitor and Recreational Facilities. Lower cost
15 visitor and recreational facilities shall be protected, encouraged, and where feasible,
16 provided. Developments providing public recreational opportunities are preferred.

17 The proposed Project would interfere with the public's right of access to the lower cost
18 visitor and recreational facilities within Montaña de Oro State Park on a short-term basis
19 during cable pulling from the Sandspit Beach parking lot. These impacts would be
20 temporary and other areas for public parking are available within the Park. Access to
21 the actual beach will not be blocked. The proposed Project is potentially consistent with
22 this policy assuming adequate offsite parking is made available in coordination with the
23 State Park.

24 Coastal Act Policy 30220 - Protection of Certain Water Oriented Activities. Coastal
25 areas suited for water oriented recreational activities that cannot readily be provided at
26 inland water areas shall be protected for such uses.

27 The proposed Project will result in marine operations, which preclude water-based
28 activities in the immediate work area. In relation to the total area available for these
29 water based activities and short-term duration of this preclusion, such impacts are
30 considered minimal and will be mitigated through notification of the pending activities.
31 The proposed Project is potentially consistent with this policy.

Coastal Act Policy 30230 - Marine Resources and Special Protection. Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters, and will maintain healthy populations of all species of marine organisms, adequate for long term commercial, recreational, scientific and educational purposes.

Assuming avoidance of hard bottom habitat to the extent feasible and the implementation of required mitigation measures during installation of the cable, the proposed Project will not result in any long term impacts to the marine environment and the associated species. The Project is therefore potentially consistent with this policy.

Coastal Act Policy 30231 - Coastal Waters, Marine Organisms and Human Health. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes, appropriate to maintain optimum populations of marine organisms, and for the protection of human health, shall be maintained. Where feasible, the aforesaid biological productivity shall be restored through, among other means, minimizing the adverse effects of wastewater discharges and entrainment; controlling runoff; preventing depletion of groundwater supplies and substantial interference with surface water flow; encouraging wastewater reclamation; maintaining natural vegetation buffer areas that protect riparian habitats; and minimizing alteration of natural streams.

The proposed Project, with implementation of the mitigation measures recommended in this EIR and by complying with the previously-issued Conditions of Approval, will result in impacts that are less than significant. This Project is therefore potentially consistent with this policy.

Coastal Act Policy 30232 - Oil and Hazardous Substance Spills. Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

The proposed Project will involve the operation of marine vessels to install the offshore cable and installation of the cable at the landing site and land-based equipment within the Sandspit Beach parking lot. Accidental release of fuel oil or other hydrocarbon products could impact coastal water quality; however, such events are unlikely or would be small operational spills. All marine vessel operations will be required to maintain an

1 approved Oil Spill Contingency Plan and to ensure that appropriate response resources
2 are available onsite to address a potential release. Onshore fueling locations and
3 storage areas will be specified and designed to preclude spills or the migration of
4 accidentally spilled fuels from entering offsite habitats. Compliance with these
5 provisions will result in the Project being potentially consistent with this policy.

6 Coastal Act Policy 30233 - Diking, Filling or Dredging of Open Coastal Waters. (a) The
7 diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall
8 be permitted in accordance with other applicable provisions of this division, where there
9 is no feasible less environmentally damaging alternative, and where feasible mitigation
10 measures have been provided to minimize adverse environmental effects, and shall be
11 limited to the following:

- 12 (1) New or expanded port, energy, and coastal-dependent industrial facilities,
13 including commercial fishing facilities;
- 14 (2) Maintaining existing, or restoring previously dredged, depths in existing
15 navigational channels, turning basins, vessel berthing and mooring areas, and
16 boat launching ramps;
- 17 (3) In open coastal waters, other than wetlands, including streams, estuaries, and
18 lakes, new or expanded boating facilities and the placement of structural pilings
19 for public recreational piers that provide public access and recreational
20 opportunities;
- 21 (4) Incidental public service purposes, including, but not limited to, burying cables
22 and pipes or inspection of piers and maintenance of existing intake and outfall
23 lines;
- 24 (5) Mineral extraction, including sand for restoring beaches, except in
25 environmentally sensitive areas;
- 26 (6) Restoration purposes; and
- 27 (7) Nature study, aquaculture, or similar resource-dependent activities.

28 The proposed Project will involve the initial grappling of the cable route, placement of
29 the cable within the right-of-way, and the final burial of the cable. Installation of the
30 proposed fiber optic cable is consistent with Coastal Act Policy 30233 (4) as this Project
31 provides a recognized public service and burial of the cable avoids potential impacts to

other users of the Project area. This Project is therefore potentially consistent with this policy.

Coastal Act Policy 30234 - Commercial Fishing and Recreational Boating Activities. Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

The proposed Project will not result in the degradation or displacement of facilities serving commercial fishing or recreation boating activities. Installation of the proposed fiber optic cable will result in marine vessel operations; however, it is unlikely these vessels will require the use of local dock facilities. In addition, AT&T is signatory to the 2002 Agreement Between Cable Operators and Fisherman, and has designed the installation and operation of the Project to be consistent with the policies and procedures contained within that Agreement. This Project is therefore potentially consistent with this policy.

Coastal Act Policy 30234.5 - Economic and Recreational Importance of Fishing. The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.

Installation of the proposed fiber optic cable will result in short-term preclusion of commercial and recreational fishing operations from the Project area. The Central California Joint Cable/Fisheries Liaison Committee was established to develop an agreement between the two interests and to provide fishers and cable operators a forum through which information could be disseminated and claims could be processed. In addition to the 2002 Final Agreement Between Cable Companies and Fishermen, other documents, including "Procedures to Follow While Operating Near Morro Bay or San Luis Obispo Cables" (<http://www.slofiberfish.org/files/procedures.pdf>) have been developed. These documents and continuing data exchange have been successfully used to reduce cable/fishing interactions within the area (Kubiak, personal communication 2008).

As proposed, all but approximately 0.8 mile (1.3 km), of the cable seaward of the three-mile (5.6 km) limit will be buried (AMS 2008, NEC 2008). Rock substrate that precludes burial includes a 0.5 mile (0.8 km) area between the 2,800 and 2,940-foot (854 and 897

meter [m]) isobaths and a 0.30 mile (0.5 km) of solid rock substrate (0.06 mile [0.1 km] of high relief and 0.24 mile [0.4 km] of low relief) located in approximately 230 feet (ft) (70 m) of water. Trawling is not allowed shoreward of the three-mile (5.6 km) limit and as AT&T is signatory to the aforementioned Agreement and has agreed to comply with the applicable provisions of that agreement, operation of the proposed cable is not expected to result in significant impacts to the fishing industry.

In summary, as proposed and in accordance with the existing Final Agreement Between Cable Companies and Fishermen, no significant impacts to the commercial or recreational fishing resources or activities are expected from the proposed actions. This Project is therefore potentially consistent with this policy.

Coastal Act Policy 30240 - Environmentally Sensitive Habitat Areas (ESHAs). The ESHAs shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. Development in areas adjacent to environmentally sensitive habitat areas, and parks and recreation areas, shall be sited and designed to prevent impacts, which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Portions of the proposed Project are located within or adjacent to areas either designated as ESHA or park (i.e. within Montaña de Oro State Park). Installation operations will result in short term disruption of these areas including offshore soft bottom and hard bottom resources and areas of onshore sensitive coastal habitat. Specific restoration plans including the burial of the offshore cable and habitat restoration for impacts to coastal species have been proposed. Implementation of these measures including compliance with Conditions of Approval established by the County of San Luis Obispo for the onshore segment will reduce potential impacts to less than significant. As mitigated, the proposed Project is potentially consistent with this policy.

Coastal Act Policy 30244 - Archaeological or Paleontological Resources. Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

An offshore archaeological survey has been completed and is summarized in Section 4.5 of this EIR. A recommendation for additional review of side scan and magnetometer data to ensure avoidance of potential offshore cultural resource sites has been

proposed as a Project mitigation measure. No recorded onshore archeological sites are expected to be affected by the proposed actions. With the implementation of the offshore mitigation measure, the proposed Project is potentially consistent with this policy.

Coastal Act Policy 30250 - Location in Existing Developed Area. New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it. Where such existing developed areas are not able to accommodate it, development shall be located in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

As proposed the Project will parallel existing offshore cables, will utilize a consolidated cable landing site within Montaña de Oro State Park, and will use an existing onshore cable conduit system. The proposed Project is potentially consistent with this policy.

Coastal Act Policy 30251 - Scenic and Visual Qualities. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to, and along, the ocean and scenic coastal areas to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

The proposed Project's facilities are either existing or are located below the ground surface within existing cable routes or conduits. With the exception of the existing manhole covers and access routes, the Project facilities are not visible and do not degrade the visual quality of the area. Erosion of Project-related access routes has resulted in some visual impacts; however, an Erosion Control Plan and subsequent monitoring of these drainage impacts improvements is proposed to reduce these existing impacts. The presence of vessels in the nearshore waters and onshore equipment within the Sandspit Beach parking lot will result in short-term, less than significant impacts. Therefore, with implementation of the mitigations the proposed Project is potentially consistent with this policy.

Coastal Act Policy 30253.3 - New Development, Air Pollution Control District and California Air Resources Board Rules. New development shall be consistent with requirements imposed by an air-pollution control district or the State Air Resources Control Board, as to each particular development.

1 Operation of the proposed Project facilities will not result in any direct air emissions;
2 however, construction and repair operations will result in short term air emissions
3 including Greenhouse Gases. Mitigation measures designed to reduce air emissions
4 associated with the installation operations are proposed to address significant nitrogen
5 oxide (NOx) emissions from marine vessels. With implementation of this mitigation the
6 proposed Project is potentially consistent with this policy.

7 Coastal Act Policy 30260 - Location or Expansion. Coastal-dependent industrial
8 facilities shall be encouraged to locate or expand within existing sites and shall be
9 permitted reasonable long-term growth where consistent with this division. However,
10 where new or expanded coastal-dependent industrial facilities cannot feasibly be
11 accommodated consistent with other policies of this division, they may nonetheless be
12 permitted in accordance with this section and sections 30261 and 30262 if (1)
13 alternative locations are infeasible or more environmentally damaging; (2) to do
14 otherwise would adversely affect the public welfare; and (3) adverse environmental
15 effects are mitigated to the maximum extent feasible.

16 As proposed, this Project will parallel existing offshore cables, will utilize an existing
17 consolidated cable landing site within Montaña de Oro State Park, and will be within an
18 existing onshore cable conduit system. This proposed Project is potentially consistent
19 with this policy.

20 **Montana de Oro State Park General Plan**

21 The proposed Project will involve use of the existing landing site within Montaña de Oro
22 State Park as well as existing cable conduits, and will, therefore, not require additional
23 approvals for onshore construction beyond compliance with existing Conditions of
24 Approval. A copy of the original Plan and Policy Consistency analysis prepared by the
25 County as well as the Conditions of Approval are provided in Appendix J. Installation of
26 the onshore portion of the proposed fiber optic cable will require compliance with these
27 Conditions of Approval. No further review is therefore required.

28 **County of San Luis Obispo Coastal Zone Land Use Ordinance/Estero Area** 29 **Plan/San Luis Obispo Inland Area Plan - Land Use Element**

30 The proposed Project will involve using an existing onshore cable conduit and will
31 therefore not require additional approvals beyond compliance with existing Conditions of
32 Approval. A copy of the original Plan and Policy Consistency analysis prepared by the
33 County as well as the Conditions of Approval are provided in Appendix J. Installation of

the onshore portion of the proposed fiber optic cable will require compliance with these Conditions of Approval. No further review is therefore required.

Impact Discussion - Land Use

The proposed Project would not physically affect an established community and would not conflict with local natural resource planning and conservation on land, including any Habitat Conservation Plans (HCP's), or within the marine waters. The cable alignment is not within the boundaries of an existing marine sanctuary or other Marine Protected Area. All activities at Montaña de Oro State Park would be coordinated with California State Parks, and activities on the water would be coordinated with the Coast Guard.

Impact Discussion - Recreation

The proposed Project would not increase the long term use of recreational facilities or lead to the construction of new facilities. Onshore activities have been coordinated with Montaña de Oro State Park personnel and will be completed in accordance with conditions associated with a previously issued easement. All corresponding conditions of approval would be satisfied.

Potentially Significant Impacts

Project installation activities at the Sandspit Beach parking lot will be short-term, but will result in temporary noise sources. Noise from installation activities could reach 65 dBA during the construction period and impact recreationists within 1,600 ft (488 m) of the construction site. Park users could avoid installation areas due to the Park's 8,000-acre (3,240-hectare) size. Although construction-related noise would be a nuisance, it would not preclude Park use.

The proposed Project will temporarily affect use of part or all of the Sandspit Beach parking lot in Montaña de Oro State Park, which will be used as a staging area for installation activities along the existing conduit route. During installation, all of the parking lot will be closed for up to an estimated three days during cable pulling operations. Furthermore partial lot closures will occur for up to two weeks. Visitors that would have used the Sandspit Beach parking lot are expected to park in the turnouts along Pecho Valley Road, at the horse camp turn-around, or select alternative parking locations such as Hazard Canyon and Spooner's Cove.

If the proposed Project's need for the parking lot coincides with a period of heavy visitor use of the Park, recreational activities could be disrupted by limiting parking or beach

access. Other direct impacts to recreational resources in this segment include the temporary loss of easy access for visitors along a beach and bluff area that is up to 2 miles (3.2 km) long associated with Sandspit Road access. Users of this area include hikers, surfers, surf fishermen, equestrians, picnickers, kayakers, and hang gliders. Visitors also use this area for passive recreational activities such as beach strolling, bird watching, and sight seeing.

Impact REC-1: Loss of Recreational Use Parking at the Sandspit Beach Parking Lot

The proposed Project could temporarily affect recreational use of the Sandspit Beach parking lot (Potentially Significant, Class II).

The Sandspit Beach parking lot in Montaña de Oro State Park will be used as a staging area for the onshore coastal activities associated with the existing conduit route. The parking lot will be completely closed for an estimated three days during cable landing and pulling operations and partially closed for up to two weeks. Visitors who would have used the Sandspit Beach parking lot are expected to park in the turnouts along Pecho Valley Road, at the horse camp turn-around, or select alternative parking locations such as Hazard Canyon and Spooner's Cove. Although this impact is short-term it is considered potentially significant (Class II) without the proposed mitigation.

Mitigation Measure for REC-1: Loss of Recreational Use Parking at the Sandspit Beach Parking Lot

MM REC-1a. Notifying the California Department of Parks and Recreation. Prior to cable installation, AT&T shall obtain the approval from the California Department of Parks and Recreation (CDPR) for the scheduling and locating of Project activities at the Sandspit Beach parking lot, incorporating measures to ensure the availability of offsite parking, restrooms, and pedestrian access to the beach during Project activities. AT&T shall submit documentation of the approval to the Executive Officer of the California State Lands Commission (CSLC) prior to Project initiation.

MM REC-1b. Posting Signage. Prior to construction within the Sandspit Beach parking lot, AT&T shall coordinate with the California Department of Parks and Recreation and the County Department of Public Works to provide signage along Pecho Valley Road redirecting visitors to

park at one of the other designated parking areas. In addition, AT&T shall post signage in the Sandspit Beach parking area alerting visitors that the lot will be closed or partially closed, the length of time, and the location of alternative parking areas.

Rationale for Mitigation

The measures presented in this section are expected to result in reducing potential impacts to the existing land use and recreation resources.

Table 4.8-1. Summary of Land Use and Recreation Impacts and Mitigation Measures

Impact	Mitigation Measures
REC-1: Loss of Recreational Parking at the Sandspit Beach Parking Lot	REC-1a. AT&T shall notify and receive approval of project schedule from the CDPR and submit that approval to CSLC.
	REC-1b. AT&T shall provide signage along Pecho Valley Road prior to initiating in-parking lot activities.

4.8.5 Impacts of Alternatives

The CEQA Guidelines emphasize that a selection of reasonable alternatives and an adequate assessment of these alternatives be presented to allow for a comparative analysis for consideration by decision-makers. Two alternatives are discussed for this EIR: (1) No Project Alternative, and (2) Cable Re-route/Maximum Burial Alternative.

No Project Alternative

This alternative would not include or require any new construction activities to take place within the Sandspit Beach parking lot or along the ridge conduit system. Since no action is proposed, no changes to the existing land use or recreational environment would occur. Therefore, this alternative will result in no impacts to the existing land use or recreational areas within or near the Project site.

Cable Re-route/Maximum Burial Alternative

The Maximum Burial Alternative would not include or require any additional onshore construction activity since all of the additional impacts occur offshore for this alternative. Because of the increase in time necessary for installation of the offshore segment of the longer cable, the period for and area of preclusion of offshore recreational fishing would

1 be increased. That increase is expected to be minimal and is, therefore, not expected
2 to result in impacts that are significant or substantially increased over those generated
3 by the proposed Project.

4 **4.8.6 Cumulative Projects Impact Analysis**

5 Potential impacts to recreational resources for the proposed Project would be caused by
6 the closure or partial closure of the Sandspit Beach parking lot during Project
7 construction. Cumulative impacts would be limited only to those projects, which would
8 have the potential to also affect recreational opportunities within the area at the same
9 time. Although Montaña de Oro State Park is a popular recreational destination,
10 available recreational resources throughout the area suggest that with appropriate
11 scheduling, temporary closure of the Sandspit Beach parking lot would not cause
12 significant cumulative impacts to recreational resources.